

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
A. W. BURNHAM for a certificate of
public convenience and necessity to
operate auto truck and express serv-
ice as a transportation company be-
tween Manteca, Lathrop, Berkeley,
Oakland and intermediate points.

Application No. 6487.

H. A. Encell for A. W. Burnham, Applicant.
E. Stern for American Railway Express Co.
L. N. Bradshaw for Southern Pacific Co.

BY THE COMMISSION.

O P I N I O N

A. W. Burnham applies for authority to operate truck freight and express service between Manteca, Lathrop, Oakland and Berkeley.

A public hearing was held by Examiner Westover at Manteca.

Applicant has been operating as a contract carrier for three dairies, lying from 2 to 7 miles from Lathrop and Manteca, and will now wish to serve other dairies in Manteca and en route near Tracy and Pleasanton. He would leave Manteca at 9:00 P.M., Lathrop at 11:00 P.M., and arrive at Oakland at 4:00 A.M. The rail service is via American Railway Express Company, operating over Southern Pacific Company rails.

Most of the milk moving by rail from this territory is sent in on train, leaving Manteca at 4:05 A.M. There is no

agent at Manteca available, and shippers must haul to Manteca before 4:05 A.M., wait for the train and load into car, often not having time to get the messenger's receipt before the train moves out. No wagon service is furnished by the express company at destination. Applicant proposes a service which includes pick up at ranches and delivery at destination and but one handling, the entire trip being made at night, - a service which the rail carriers are not equipped to render.

O R D E R

A public hearing having been held on the above application, the matter being submitted and now ready for decision,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation by A. W. Burnham of an auto truck service for the common carriage of milk and cream between Manteca and Berkeley, serving Lathrop, Tracy, Pleasanton and Oakland and dairies in those vicinities as intermediate points.

The operative rights and privileges hereby established may not be transferred, leased, sold nor assigned, nor the said service abandoned unless the written consent of the Railroad Commission thereto has first been procured.

No vehicle may be operated in said service unless said vehicle is owned by the applicant herein or is leased by said applicant under a contract or agreement satisfactory to the Railroad Commission.

IT IS HEREBY ORDERED that applicant shall within twenty (20) days from the date hereof file with the Railroad Commission his schedule and tariff covering said proposed service, which shall be in addition to proposed schedule and tariff accompanying the application, and shall set forth the date upon which the operation of the line hereby authorized will commence, which date shall be

within ninety (90) days from date hereof, unless time to begin operation is extended by formal supplemental order.

The authority herein contained shall not become effective until and unless the abovementioned schedules and tariffs are filed within the time herein limited.

Dated at San Francisco, California, this 12th day of May, 1921.

H. B. Mendicino
H. L. ...

W. O. ...

Commissioners.